ORDINANCE NO. 97- 3

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 17-116 OF THE CODE OF LAWS AND ORDINANCES RELATING TO PALM BEACH COUNTY GOVERNMENT, RELATING TO THE TOURIST DEVELOPMENT TAX PURSUANT TO THE "LOCAL OPTION TOURIST DEVELOPMENT ACT," PROVIDING FOR AUTHORIZATION TO EXPEND TOURIST DEVELOPMENT TAX REVENUES FOR PLANNING AND DESIGN COSTS OF A CONVENTION CENTER PRIOR TO THE ISSUANCE OF BONDS; PROVIDING FOR EXPENDITURES OF TAX REVENUE FOR A VISITORS CENTER; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 95-30, the Tourist Development Ordinance of Palm Beach County, hereinafter "Ordinance"; levied four (4) percent Tourist Development tax for certain permissible uses set forth in Section 125.0104, Florida Statutes; and

WHEREAS, the permissible uses of the Tourist Development Tax revenues as set forth in Ordinance No. 95-30 include the payment of the debt service on bonds issued to finance the construction, reconstruction or renovation of a convention center pursuant to §125.0104(3)(l.)(2), Florida Statutes; and

WHEREAS, Section 125.0104(3)(l.)(2), Florida Statutes, has been amended to include authorization for the payment of design and planning costs for a convention center prior to the issuance of bonds; and

WHEREAS, the County wishes to amend the Code to permit tax revenues to be used for these Convention Center costs; and

WHEREAS, Ordinance 95-30 authorized the use of tax revenues to be expended for the construction and operation of a Tourist Information Center in Fiscal Year 1994-95 and 1995-96; and

WHEREAS, the County now wishes to continue expending tax revenues on the Center for future years and to amend the Code to provide for such expenditures; and

WHEREAS, the Tourist Development Council has reviewed the proposed changes to the Tourist Development Plan and has recommended the Code be amended to include such changes; and

WHEREAS, the Board of County Commissioners hereby finds that these additional uses of Tourist Development Tax revenue will advance, further, and promote Palm Beach County tourism.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Section 1. Subsection (d.) Use of Additional one (1) percent Tax of Section 17-116, Tourist Development Plan, of the Code of Laws and Ordinances Relating to Palm Beach County Government shall be amended to read as follows:

(d.) Use of Additional One (1) Percent Tax. The additional one (1) percent tax effective January 1, 1994, shall be used to pay:

(1) The debt service on bonds issued to finance the construction, reconstruction, or renovation of professional sports franchise facilities and to pay the planning and design costs of said facilities incurred prior to the issuance of such bonds.

(2) The debt service on bonds issued to finance the construction, reconstruction, or renovation of a convention center, and to pay the planning and design costs incurred prior to the issuance of such bonds.

A Tourist Development Plan for professional sports franchise facilities and/or a convention center must be approved by resolution of the Board for the purpose of advancing, promoting, and furthering County tourism. The facilities and/or convention center identified in the plan(s) to benefit from the levy of the additional one (1) percent tax may be amended by resolution of the Board. This additional levy shall automatically expire upon the retirement of all bonds issued to

pay the debt service for the financing of professional sports franchise facilities and/or the convention center.

Section 2. Subsection (e.) Tourist Information Center of Section 17-116, Tourist Development Plan, of the Code of Laws and Ordinances Relating to Palm Beach County Government shall be amended to read as follows:

(e.) Tourist Information Center. ~~During fiscal years 1994-95 and 1995-96, a~~ A portion of the revenues allocated to Categories A, B, D and G under subparagraph (b) of this section shall be used to fund the construction and operation of a Tourist Information Center as established and approved through the annual budget.

Section 3. REPEAL OF LAWS IN CONFLICT:

All local laws and ordinances in conflict with any provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 4. SEVERABILITY:

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of this Ordinance.

Section 5. INCLUSION IN THE CODE OF LAWS AND ORDINANCES:

The provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Palm Beach County, Florida. The sections of this Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

SECTION 6. EFFECTIVE DATE:

The provisions of this Ordinance shall become effective upon filing with the Department of State.

APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, on this the 14th day of January, 1997.

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

By: _____
Chair

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: Maureen Callen
County Attorney

EFFECTIVE DATE: Filed with the Department of State on the 21st day of January, 1997, at N/A .m.

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STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the Board of County Commissioners certify this to be a true and correct copy of the original filed in my office on 1/14/97
DATED at West Palm Beach, FL on 1/31/97.
DOROTHY H. WILKEN, Clerk
By: Phyllis A House D.C.

FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM
CODRS CODING FORM

Instructions: Florida's Department of State, Bureau of Administrative Code has developed the County Ordinance Data Retrieval System (CODRS) to facilitate the tracking of County ordinances in Florida's 67 Counties. CODRS' data base is composed of over 25,000 county ordinances enacted since 1974.

We request your cooperation in completing this coding form. It is to be completed whenever your county enacts a new ordinance. Simply complete this form and include it with other pertinent ordinance information that is submitted to the Bureau of Administrative Code.

To code this form properly, please refer to the "keyfields" description sheet that has been given to your County Attorney's Office. If you do not have this sheet please contact the Bureau. We will be happy to fax one to you for referencing purposes. Please fill out this form as completely as is possible.

Thank you for your assistance. Should you need further assistance please contact the Bureau of Administrative Code, Department of State at (904)-488-8427 or Suncom 278-8427.

COUNTY: (Palm Beach) COUNTY ORDINANCE # (92-3)
(e.g., 93 - 001)

PRIMARY KEYFIELD DESCRIPTOR: (Tourism Tax)

SECONDARY KEYFIELD DESCRIPTOR: (Tourism)

OTHER KEYFIELD DESCRIPTOR: (TAXES)

ORDINANCE DESCRIPTION: (Tourist Dev. Tax)
(25 characters maximum including spaces)

ORDINANCES AMENDED: (List below the ordinances that are amended by the this legislation. If more than two, list the most recent two.)

AMENDMENT # 1: (95-30); AMENDMENT # 2: (_____).

ORDINANCES REPEALED: (List below the ordinances that are repealed by this legislation.)

REPEAL # 1: (_____); REPEAL # 3: (_____);
REPEAL # 2: (_____); REPEAL # 4: (_____);

(Others repealed: list all that apply): _____

(FOR OFFICE USE ONLY): COUNTY CODE NUMBER: (__)

KEYFIELD 1 CODE: (_____) KEYFIELD 2 CODE: (_____)

KEYFIELD 3 CODE: (_____) Rev. 6/28/93

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County Library
Serial Dept.

ORDINANCE
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